



**ZONING ADMINISTRATOR**  
**NOTICE OF DECISION**

**Date:** January 9, 2012  
**Applicant:** Maple Ridge Mobile Home Sales/Mobile Home Repo Depot  
**Case No.:** PCC-11-066  
**Address:** 1660 Silvas Street and 2590 Main Street, Chula Vista, Ca.  
**A.P.N.:** 622-111-13-00, 622-111-29-00  
**Project Planner:** Richard Zumwalt, A.I.C.P., Associate Planner

Notice is hereby given that on January 9, 2012, the Zoning Administrator considered Conditional Use Permit (CUP) Application PCC-11-066 filed by Maple Ridge Mobile Home Sales ("Applicant"), to operate the Mobile Home Repo Depot. The application requests approval of a Conditional Use Permit to permit a storage and sales facility for repossessed manufactured homes as a permanent use, and to authorize the temporary use of a 528 square foot commercial coach as an office for a period of two years pursuant to Chula Vista Municipal Code Section 19.58.3309(D). The project proposes storage and sales of approx. 5-15 manufactured homes at a time, and includes a 5-space customer parking lot ("Project"). The Project site consists of two parcels located at 2590 Main Street and 1660 Silvas Street in Chula Vista, Ca., with a combined area of approximately 2.39 acres ("Project Site"). The site has a zoning designation of Commercial Thoroughfare (CT) and General Plan Designation of Commercial Retail (CR). The Property is owned by the Leaf Family Trust ("Property Owner"). The proposed project and land use is more specifically described below:

A trailer and equipment sales and rental establishment requires approval of a CUP in the CT zone. A CUP is also required to authorize the use of the Commercial Coach as temporary office space for 2 years, with possibility of a 1-year extension. Because the project does not propose construction of a new building or substantial structural improvements to the site, processing of an Administrative CUP is permitted.

The Director of the Development Services Department has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 3 Categorical Exemption pursuant to 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines. The proposed project consists of establishment of a small 528 square foot sales office and outdoor sales and storage of mobile homes, and does not involve the use of significant amounts of hazardous materials. Thus, no further environmental review is necessary.

The Zoning Administrator, under the provisions of Section 19.14.030.A of the Chula Vista Municipal Code, has been able to make the following Conditional Use Permit findings as required by CVMC Section 19.14.080:

***That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.***

The approval of this project will enable the applicant to provide a needed public service for the community by providing a facility for the storage, viewing, and re-sale of foreclosed mobile homes. Re-sale of mobile homes encourages the purchase of new ones that will generate increased property tax and sales tax revenue for the City. Its location is desirable for provision of this use because the site is a large, corner property with good access to major streets and freeways. The site has two driveway and is conveniently accessible for transportation and storage of mobile homes. The project will include an office trailer, customer parking lot, lighting, and landscaping to partially screen the site and enhance its appearance. Therefore, approval of the Project will greatly enhance the variety and quality of services for mobile home businesses and residents of the City of Chula Vista.

***That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.***

The facility will be open to the public during the hours of 7:00 am to 7:00 pm daily, with minor changes to hours of operations during the summer months. The project has been conditioned so that the applicant must obtain permits to ensure that the construction complies with the California Building Code, Fire Code and other applicable codes, to ensure the health, safety and welfare of persons using the facility and residing in the vicinity. The temporary office trailer will be attractively designed and landscaping will be installed in the vicinity of the office trailer, the parking lot and at the perimeter of the site between the fence and the public street frontage, to ensure that the project will be attractively designed and will enhance the surrounding area. The project is not expected to generate a significant amount of traffic or parking that will impact the adjacent streets. Therefore, the operation of the facility will not adversely affect adjacent persons or properties.

***That the proposed use will comply with the regulations and conditions specified in the code for such use.***

A trailer and equipment sales and rental establishment requires approval of a CUP in the CT zone. A CUP is also required to authorize the temporary use of a Commercial Coach as office space for 2 years, with possibility of a 1-year extension. Because the project does not propose construction of a new building or substantial structural improvements to the site, processing of an Administrative CUP is permitted. Therefore the project is consistent with the Zoning Ordinance and General Plan, and will not adversely affect the ability to implement the General Plan in the future.

Granting of this Conditional Use Permit is conditioned to require the Applicant and Property Owner to fulfill conditions and to comply with all applicable regulations and standards specified in the Municipal Code for such use. These conditions will be enforced through building plan review, inspections prior to occupancy of the use and subsequent operation of the business. Furthermore, the conditions of this permit are approximately in proportion to the nature and

extent of the impact created by the project in that the conditions imposed are directly related to, and of a nature and scope related to the size and impact of the project. The project will comply with all regulations and conditions specified in the Zoning Code for uses established under PCC-11-066.

***That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.***

The General Plan designates the site as Commercial Retail (CR). Operation of the storage and sales facility for repossessed manufactured homes is a commercial use which is permitted upon approval of a Conditional Use Permit (CUP) in the CT zone pursuant to C.V.M.C. 19.40.030(B), therefore this approval will not adversely affect the implementation of the General Plan. Thus, the proposed project is consistent with the Commercial Retail General Plan land use designation.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-11-066 as described above subject to the following conditions:

The following conditions shall apply to the Project Site, and the Applicant or successor-in-interest shall satisfy these conditions prior to issuance of the first building permit for the project, or at the timeframe specified in the condition. Upon completion, the Applicant shall remain in compliance with the conditions as long as the Project relies upon this approval:

#### PLANNING DIVISION

- 1 The Project Site shall be developed and maintained in accordance with the PCC-11-066 approved plans, which include site plans and floor plans on file in the Planning Division, the conditions contained herein, and the Zoning Ordinance (Title 19).
2. The Property Owner or authorized representative shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and the Applicant have each read, understood and agreed to the conditions and land use operation modifications contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document prior to submittal for building permits to the Development Services Department shall indicate the Property Owner's and Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Date

3. The building permit plan submittal shall include a revised site plan or separate lighting plan showing addition of exterior site lighting of the office trailer entry, customer parking lot, driveway entrances and vehicle turnaround, to the satisfaction of the Director of Development Services. Exterior lighting shall be constructed in compliance with the approved lighting plan, and shielded to confine light within the site and prevent glare onto adjacent properties or streets.
4. To enhance visibility into the site, the entry gate along the Silvas Street frontage shall utilize an open design without slats, metal, fabric or tarp coverings that obstruct visibility.
5. The Applicant shall apply for and obtain a sign permit for any required site/business identification signs from the Development Services Department in accordance with the Chula Vista Municipal Code Chapter 19.60.

#### BUILDING DIVISION

6. The Applicant shall obtain approval of a Building Permit for the commercial coach and other improvements requiring a building permit, as determined by the Building Division. Building permits shall comply with applicable codes and requirements, including but not limited to the 2010 California Building Code (CBC) and Ca. Handicapped Accessibility requirements, 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Electrical Code, and 2008 California Energy Code, as adopted and amended by the State of California and City of Chula Vista.
7. This project must be designed by an Architect or Engineer licensed by the State of California (California Business and Professions Code 5536 1, 6735).
8. The Applicant shall provide documentation for the commercial coach/office trailer approval. Any modification to the approved office trailer must be approved by the State of California.

#### ENGINEERING DIVISION

Prior to approval of the building permit or construction permit, comply with the following to the satisfaction of the Land Development Division:

##### Storm Water Management

9. Operation of this project shall comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Permit, Order No. R9-2007-0001 (Municipal Permit), the City of Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP), the Chula Vista Municipal Code Chapter 14.20, and the latest approved version of the City of Chula Vista Development Storm Water Manual.

Access and Site Plans

10. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with CVMC Section 18.16.220. Landscaping, street furniture, and signs shall not obstruct driver visibility at street intersections or driveways.

Fees

11. Prior to issuance of the building permit, payment of the following fees will be required based on the final Building Plans submitted:
  - a. Sewer Capacity Fee
  - b. Traffic Signal Fee
  - c. Public Facilities Development Impact Fee

Public Improvements

12. Prior to obtaining any Building Permit for the Project, if the project's total on-site improvements exceed the current Engineering Threshold of \$34,582.52, per CVMC Section 12.24.020, then the applicant shall be required to obtain a Construction Permit from the Land Development Section of the Department of Development Services. (The On-Site Improvements Trigger for Installation of Public Improvements is adjusted on an annual basis on July 1 based on the Engineer Construction Cost Index). A Construction Permit is required to perform the following work in the City's right-of-way:
  - a. Removal and replacement of any broken or damaged curb, gutter, and sidewalk as determined by the Public Works Inspector.
  - b. Removal and replacement of any sidewalks, pedestrian ramps, and driveways that do not meet the City of Chula Vista Design Standards and American Disability Act (ADA) requirements.
  - c. Dedicate to the City the required street easement along Silvas Street so half of the width of the right-of-way along Silvas Street is 36 feet from centerline of the street to the proposed property line. ADA requirements.

Landscaping:

13. Prior to issuance of a building permit, submit a detailed landscape plan per requirements of the City Landscape Manual. Submit the plan concurrent with the building permit submittal. Per the City Landscape Manual, a C-27 licensed landscape contractor may prepare the landscape drawings with a condition that the landscape contractor installs the landscape work approved on those drawings. The landscape plan shall be in substantial conformance with the approved Concept Landscape Plans with the following revisions to the landscape concept:

- a. Revise the proposed full screen planting of the fencing along Silvas Street to show a “layering” of plant types. Plant types shall include bedding plants, shrubs and small trees. The ultimate spacing of all screen plantings shall not restrict sufficient view corridors into the site.
- b. Within the view corridor areas, shrubs should be maintained to a maximum height of 3 feet and trees should be trimmed up to a point of approximately 10 feet above the ground.
- c. The landscaping shall show plantings that extend farther out towards the Silvas Street right of way. The plantings shall extend to within five feet from the edge of the street pavement yet still retain the unimproved pedestrian path along Silvas Street.

## PUBLIC WORKS

14. The project shall utilize residential trash service and trash enclosures required for a small waste generator, to the satisfaction of the Environmental Services Division of the Department of Public Works. All trash and recycling containers must be provided with a lid that must be kept closed at all times to prevent run-off.

## FIRE DEPARTMENT

15. The Applicant shall provide Fire Lane signs or striping according to Chula Vista Fire Standards. Fire Lanes are required to be clear at all times.
16. Manually-operated gates shall require a Knox box. If proposed, automatic gates shall be provided with both an Opticom Detection System and a Knox Key Switch override. Provisions shall be taken to operate the gate upon the loss of power.
17. The building(s) shall be addressed in accordance with the following criteria:
  - a. If the address is located between 0 – 50 ft. from the building to the face of the curb, the address shall be 6 inches in height with a 1-inch stroke
  - b. If the address is located between 51-150 ft. from the building to the face of the curb, the address shall be 10 inches in height with a 1-1/2 inch stroke.

## ON-GOING CONDITIONS

Upon certification by the Development Services Department for occupancy or establishment of use allowed by this Conditional Use Permit, the following conditions shall apply:


18. Pursuant to Chula Vista Municipal Code Section 19.58.330, the Conditional Use Permit for the temporary sales trailer shall expire two (2) years after the date of its approval by

the Zoning Administrator, on January 9, 2014. To authorize the continued use of the temporary sales trailer past this date, the Applicant must submit an application and required filing fees requesting an extension of 1 year from the Zoning Administrator.

19. Hours of operation shall be Sunday through Saturday (seven days a week) from 7:00 am to 7:00 pm.
20. The Project shall operate in compliance with the Performance Standards, CVMC Chapters 19.66, and Performance Standards and Noise Control, Chapter 19.68.
21. This Conditional Use Permit authorizes only the use specified in the application for PCC-11-066. Any new use, modification/expansion of use, or activities not authorized under this Conditional Use Permit shall be subject to the review and approval of the Zoning Administrator.
22. This permit shall become void if not used or extended within three years of the effective date thereof in accordance with Section 19.14.260 of the Chula Vista Municipal Code. Failure to comply with the any conditions of approval shall cause this permit to be reviewed by the City for additional conditions or revocation, pursuant to the requirements of CVMC Section 19.14.270.
23. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. The applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.
24. Applicant and his/her successors in interest agree to defend, indemnify and hold harmless the City and its agents, officers and employees, from any claim, action or proceeding against the City, or its agents, officers or employees, to attack, set aside, void or annul any approval by the City, including approval by its City Council or any approval by its agents, officers, or employees with regard to this Conditional Use Permit, provided the City promptly notifies the Applicant of any claim, action or proceeding and on the further condition that the City fully cooperates in the defense.

25. Approval of this Project shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,  
CALIFORNIA, this 9th day of January, 2012.

  
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Mary Ladiana,  
Zoning Administrator

Cc: Maple Ridge Mobile Home Sales, Attn: Wayde Nichols, 283 So. Escondido Ave.,  
Escondido, Ca. 92069  
Leaf Family Trust, c/o Annie Leaf, 3535 First Ave. Suite 16-D, San Diego, Ca. 92103  
Miguel Tapia, Senior Planner  
Sandra Hernandez, Engineering  
Lou El-Khazen, Building Division

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